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RESPONSE UNDER 37 C.F.R. § 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : James K. Klang

Appln. No.: 10/748,792

Filed: December 30, 2003

For : APPARATUS AND METHOD FOR

PREDICTING THE REMAINING DISCHARGE TIME OF A BATTERY

Docket No.: C382.12-0143

Group Art Unit: 2838

Examiner: Robert J.

Grant

RESPONSE AFTER FINAL

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8 DAY OF JANUARY

, 2006

PATENT ATTORNEY

Sir:

This is in response to the Office Action dated November 18, 2005. In the Office Action, all pending claims 1-15 were rejected. Applicant respectfully requests reconsideration and allowance of all pending claims.

In section 2 of the Office Action, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bertness, U.S. Patent No. 6,331,762, in view of Sakai et al., U.S. Patent No. 5,905,914. This rejection was addressed in a previous response filed on August 19, 2005.

A. Rebuttal of prima facie case of obviousness

In response to the Applicant's arguments that nothing in Bertness and/or Sakai relates to "a full charge battery dynamic parameter" and/or "an estimated capacity," the Examiner sates (in section 3 of the Office Action) that "a state of charge is an estimated capacity" and therefore Bertness teaches an estimated